



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**

Counsel for Environmental Protection  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104

December 10, 2019

**VIA U.S. MAIL AND FOIAONLINE.REGULATIONS.GOV**

National Freedom of Information Officer  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460

**RE: Freedom of Information Act Request EPA determination of Environmental Justice impact**

On behalf of the Attorney General of the State of Washington, I request the following records pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552:

- *All records related to the Environmental Protection Agency's determination that the proposed rule altering the application exclusion zone (AEZ) requirements in the Agricultural Worker Protection Standard (WPS), published at 84 Fed. Reg. 58666 (November 1, 2019), "would not have disproportionately high and adverse human health or environmental effects on minority or low-income populations," as stated in the proposed at 84 Fed. Reg. 58673.*

If you determine that any of the requested records are exempt in whole or in part from disclosure under FOIA, please exercise your discretion and disclose the entirety of such records. Please note that if only a portion of a requested record is exempt from disclosure, the remaining non-exempt portions must still be released. In the event that you deny access to any of the requested records in whole or in part, please provide a *Vaughn* index (1) describing the material withheld, (2) providing a detailed legal justification of your basis for withholding the material, and (3) stating your reasons for not invoking your discretionary powers to release the material in the public interest.

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Page 2

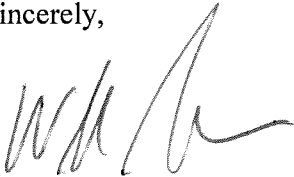
**Fee Waiver Request**

As a noncommercial entity, the Washington State Attorney General's Office is not subject to review fees. The Attorney General requests a waiver of all search and copying fees associated with this request. Should this fee waiver request be denied, the Attorney General's Office is willing to pay fees of up to one hundred dollars (\$100.00). Accordingly, please immediately begin processing this FOIA request while you consider the fee waiver request. If the fee waiver is not granted in full, please contact me immediately upon making such a determination.

A fee waiver for this FOIA request should be granted under 40 CFR § 2.107(l), because the Attorney General is a public officer of the State of Washington and has no commercial interest in this request. Disclosing the requested records is in the public interest in that it is likely to contribute significantly to public understanding of government operations or activities.

Please produce a copy of the requested records in electronic format and deliver them to me via email or CD at the address below. In addition, please consider posting a copy of these records to your FOIA library so that interested members of the public may more easily locate and access the requested records.

Sincerely,



WILLIAM R. SHERMAN  
Counsel for Environmental Protection  
Washington State Attorney General's Office  
800 5th Ave Suite 2000, TB-14  
Seattle, WA 98104-3188  
Office: (206) 442-4485  
Email: [bill.sherman@atg.wa.gov](mailto:bill.sherman@atg.wa.gov)